

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ANTHONY TAYLOR,

11 Petitioner,

No. CIV S-05- 0860 DFL GGH P

12 vs.

13 C. EVANS, Warden,

14 Respondent.

ORDER

15 _____/
16 A further status report in this matter was filed on November 18, 2005, pursuant to
17 the court's order filed September 20, 2005. Although petitioner has identified the possibility of
18 seeking a subpoena from the court with reference to petitioner's case file in the custody of
19 petitioner's trial attorney, no such request has been forthcoming. It appears that petitioner
20 intends to proceed on an amended petition of exhausted claims only, which the court previously
21 stated, if petitioner elected that option, would be due on January 20, 2005, along with any
22 supplemental points and authorities. The court will re-affirm the prior filing dates set forth in the
23 September 20, 2005 order.

24 IT IS ORDERED that petitioner must file an amended petition setting forth
25 exhausted claims only on which petitioner intends to proceed, along with any supplemental
26 memorandum of points and authorities on or before January 20, 2006, after which respondent

1 must file any response to such amended petition, whether in the form of a motion to dismiss or
2 an answer, within 90 days thereafter; petitioner will then have 30 days to file an opposition or a
3 reply, as appropriate; if an opposition to a motion is filed, respondent has 30 days to file a reply.

4 DATED: 1/18/06

5
6 /s/ Gregory G. Hollows

7
8

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
GGH:009
tayl0860.pst2